

# TOKYO GAZETTE

A MONTHLY REPORT OF CURRENT POLICIES,  
OFFICIAL STATEMENTS AND STATISTICS

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The material in the TOKYO GAZETTE is selected mainly from the *Weekly Report*, edited by the same Bureau. The accuracy and comprehensiveness of data presented in the *Report* are fully established. For the benefit of students of Japanese affairs, the TOKYO GAZETTE is endeavouring to maintain these qualities in the hope that its publication will eliminate unfortunate misunderstandings and thus contribute to world peace and international goodwill.

## IMPROVEMENT OF PHYSICAL STRENGTH OF MOTHERS AND INFANTS

DEPARTMENT OF WELFARE

**I**N Japan the number of births is approximately 2,000,000 a year. It is to be regretted, however, that out of those newly born babies more than 200,000 end their lives before they are twelve months old, and nearly 400,000 before five years of age. This high infantile mortality is the more deplorable because it could be considerably lower if closer attention were paid and more active measures taken in this direction. In European and American countries the death-rate for children is about half that in Japan. This low rate did not prevail in the past, but was gradually attained as a result of achievements made in child welfare. By taking proper measures, therefore, it may not be impossible to similarly lower the mortality rate in this country at least to the same level as in Europe and America. As the current emergency is protracted, the shortage of labour is more and more acutely felt in various quarters, and both the Government and industrialists and even private individuals are seriously devising means to cope with it. But as regards the care of infants which has an important bearing on the question of labour supply twenty or thirty years hence there seems to be comparatively little concern on the part of the general public. Neither do they seem to show any anxiety over the considerable fall in the birth-rate occurring since the outbreak of the China Affair. The decrease in the number of births may have no immediate effects on the destiny of the nation, but it means so much decrease a score of years hence in the number of young men and women in their twenties or thirties who form the backbone of the nation. It constitutes a far graver question than the present shortage of labour. The maintenance and increase of the birth-rate is thus essential to national prosperity, and if it is difficult of realization in the present condition of the country which is engaged in hostilities on an unprecedented scale, it is deemed of urgent importance to do our utmost at least to bring up in good health the children that are born.

As a measure to encourage the improvement of infants' physical strength, the Government carried out in 1939 a medical examination of all infants under thirteen or fourteen months throughout the country, giving advice and directions according to each baby's condition of health. Concerning this nation-wide health inspection

some expressed gratitude, while others ventured suggestions and criticism. Taking these into consideration, the Government has decided on the following programme to be carried out in the current year.

- (1) Health inspection of infants (wholesale inspection and health consultation).
- (2) Institution of health-guidance doctors.
- (3) Institution of visiting health-guidance matrons.
- (4) Institution of a committee for the care of mothers.

### **Health Inspection of Infants**

Infancy is the most dangerous period of human life. As shown in the high mortality of sucklings, infants within one year of birth are particularly liable to lose their lives. After this period the death-rate is markedly low. The health inspection is to be held for those who are in the most critical period of infancy, namely infants up to one year and two months of age. According to the results of each examination, advice and directions will be given relating to the infant's growth, nourishment, ailments and other respects. It is divided into wholesale inspection and health consultation according as it is held extensively at certain fixed times or individually.

#### *(1) Wholesale inspection*

Wholesale inspection for this year is conducted for babies which were born in the year beginning April 1, 1939, and are under one year and two months of age at the time fixed for the inspection. Those failing to undergo it owing to illness or other circumstances must go to the health-guidance doctors afterwards and be examined by them. The inspection is held in each primary-school district, at a suitable place, such as the primary school, public hall, city, town or village office, health centre, health consultation station, public hospital and clinic. The date for the inspection will be fixed between May and September according to the conditions in each locality.

#### *(2) Health Consultation*

As the infants have little power of resistance to disease, they are liable to disease. It would therefore be of benefit for them to consult a doctor as often as possible for necessary advice and guidance for their upbringing. For financial reasons the authorities cannot this year arrange health consultation so frequently at the Government expense. Those who are within the age limit for wholesale inspection are to take health consultation at least once after the inspection. But

the local authorities are encouraged to make arrangements for further consultation as often as possible at their own expense and with the cooperation of medical practitioners.

Health consultation and wholesale inspection are practically the same thing. The object of conducting the latter lies in affording opportunities for infants to undergo medical examination and to become accustomed to it, as well as arousing public attention to the importance of improving the health of infants in general.

### *(3) Health Inspection List*

All infants coming within the prescribed age limit must undergo health inspection and take health consultation. For this purpose a full list of infants has to be prepared by the city, town, or village authorities upon the basis of census and vaccination registers. As it is likely to be a fairly troublesome task, it requires the cooperation of the police and women's associations as well as the parents or wards of the infants.

### *(4) Health-Inspection and Health-Guidance Slips*

The results of medical examinations are entered on the health-inspection slip, which is to be kept by the health-guidance doctor during the year, and on which further entries are made every time the infant sees the doctor for health consultation. Advice and directions relating to the examinee's health are written on the health-guidance slip, which is handed to the parent or ward, and is to be presented to the doctor every time the infant is taken to him for consultation. The forms for these two slips are printed on the same sheet of paper divided by a perforated line, and can be severed at the time of wholesale inspection. The babies born in the year beginning April 1, 1940, will be given the same slips in exchange for the report of birth, or otherwise at the earliest possible date. They are required to go to the health-guidance doctor and undergo the same medical examination as in the case of the wholesale inspection of those born in the preceding year.

### **Health-Guidance Doctors**

The infants liable for wholesale inspection number over a million and a half and those liable for health consultation over three million and a half. The task of health inspection is accordingly a tremendous one, which naturally cannot be conducted with efficiency unless the entire medical profession of the country recognizes the importance of the work and give their wholehearted cooperation. For this purpose

the prefectoral governors appoint a suitable number of practitioners as health-guidance doctors and entrust them with matters relating to wholesale inspection and health consultation. In addition physicians engaged in health centres, health consultation stations, hospitals, maternity houses, and medical colleges will also be asked to cooperate. A number of health-guidance doctors will be appointed to each school district after due consideration of the number of infants and of medical practitioners, as well as the area of the district. In each prefecture a conference of health-guidance doctors will be held in order to deliberate on principles and other matters relating to health inspection and guidance, thus ensuring coordination in their work.

### Visiting Health-Guidance Matrons

As stated above, the health-guidance doctors hold health inspection and give health guidance for infants under one year and two months of age, but it is impossible to hold it so frequently and give practical directions regarding the infants' health. The care of mothers is also important. In order to give guidance to mothers and infants at all times health-guidance matrons will be instituted. They keep in touch with the committee for the care of mothers and visit homes where there are pregnant women and infants, giving them advice and directions concerning their health. In case of need they will take necessary measures, acting in concert with health-guidance doctors and other medical or social agencies. The visiting health-guidance matrons will be appointed from among midwives in practice, and health nurses employed in health centres or other motherhood and child welfare agencies. Their task requires strenuous efforts, for as in the case of health-guidance doctors, they have their own regular occupations. But they are requested to cooperate in a spirit of sacrifice in carrying out this important work of national significance. The prefectoral authorities hold short courses in subjects relating to the work of matrons, such as nourishment and diseases of mothers and infants, and child birth. State aid, up to half the expenses, will be granted for the institution of those matrons and the holding of the short courses.

### Committee for the Care of Motherhood

The improvement of the health of mothers and infants cannot be effected with success unless the women themselves awaken to its importance and cooperate for its realization. Instead of being forced to take their babies for health inspection, mothers must do so

voluntarily with solicitude for the healthy growth of their children. Since the outbreak of the present conflict with China, associations of women have been taking an active part in military relief work, social services and similar undertakings. But it is to be regretted that comparatively little attention has been paid to the question of child welfare and care of motherhood, which are no less essential to women under the current emergency. The task of the committee consists in convincing women of the importance of this neglected question and actively engaging in its solution. The members of the committee are appointed by the prefectural governors, mayors of cities, or town or village leaders, from among the members of the Women's Patriotic Association, National Defence Association of Women, Young Women's Association and other organizations of women. A suitable number of committee members will be assigned to each division of every city, town and village, and their field of activity will be limited to their respective divisions. Keeping in touch with the health-guidance doctors, visiting health-guidance matrons, and other medical and social agencies, they engage in giving guidance and direction relating to the improvement of the health of infants and pregnant women.

### Further Activities Needed

For the effective operation of the measures under review it is most important to provide nourishing food and free medical treatment for those who may be found to require them but cannot afford them. In the present fiscal year, however, there is no governmental estimate to meet such expenses. It is therefore desirable that they should be met by the local governments or attended to as part of the work of some social organizations.

Under the Law for State Supervision of Physical Strength only boys from 17 to 19 years of age are to receive physical examinations during this year. In 1942 the Law is expected to be applied to infants. But the improvement of the physical strength of younger children is of such urgent necessity that it cannot be delayed so long. Hence the authorities took this matter up last year apart from the above-mentioned Law, enforcing the nation-wide health inspection of infants. During this year the measure will be carried out in a more elaborate way as has been explained in these pages.

## STANDARD MEASURES OF GROWTH OF CHILDREN IN JAPAN

Age	Weight (kg.)		Height (cm.)		Girth of the chest (cm.)	
	Boys	Girls	Boys	Girls	Boys	Girls
Immediately after Birth.....	3.1	3.0	49.4	48.5	31.8	31.6
½ month .....	3.2	3.2	52.1	51.3	34.2	33.4
1 " .....	4.0	3.8	54.5	53.6	35.6	35.0
1½ months .....	4.8	4.4	56.9	55.9	37.0	36.6
2 " .....	5.2	4.9	58.1	57.1	38.1	37.2
3 " .....	6.0	5.6	60.3	59.9	40.1	38.7
4 " .....	6.7	6.2	62.1	60.8	41.7	40.3
5 " .....	7.3	6.7	63.8	62.8	42.4	41.3
6 " .....	7.7	7.0	65.5	64.2	42.9	41.8
7 " .....	7.9	7.4	66.9	65.3	43.5	42.2
8 " .....	8.2	7.7	68.2	67.0	43.8	42.7
9 " .....	8.4	7.9	69.4	68.4	44.2	43.2
10 " .....	8.7	8.2	70.6	69.5	44.6	43.7
11 " .....	8.9	8.5	72.0	70.5	45.1	44.1
12 " .....	9.2	8.7	73.2	72.0	45.6	44.6
1½ years .....	10.1	9.5	77.7	76.2	46.7	45.5
2 " .....	11.0	10.4	81.3	80.2	47.6	46.2
2½ " .....	11.9	11.4	83.0	82.0	48.4	47.0
3 " .....	12.7	12.2	83.5	82.2	49.3	48.0
4 " .....	14.3	13.7	94.7	93.6	51.1	49.4
5 " .....	15.7	15.2	100.3	99.1	52.9	50.7
6 " .....	17.1	16.6	103.6	104.6	53.9	52.0

## REORGANIZATION OF THE MOVEMENT FOR NATIONAL SPIRITUAL MOBILIZATION<sup>1</sup>

CABINET INFORMATION BUREAU

THAT the Japanese Government are prepared to cooperate thoroughly and energetically with the new Chinese Government established at Nanking has been publicly stated by the Prime Minister. It does not follow, however, that the China Affair has now come to an end. Japan will only proceed steadfastly with the course of action directed toward the total collapse of the Chungking Régime in accordance with the basic policy decided upon for the settlement of the conflict. Thus we can now turn our major efforts to the real task of constructing the new order in East Asia.

Now that the European conflict has reached a serious crisis, developments in the world situation cannot be foreseen even a day in advance. Amid its complexity and turmoil Japan is to accomplish the high purpose for which she stands. Her future is naturally faced with manifold difficulties. What is called for under the circumstances is the indomitable determination of the nation to carry out the national purpose at whatever cost. To this end, all the forces and resources of the nation must be mobilized to the fullest and highest extent. In order to ensure such a national alignment for meeting the emergency, needless to say, the Government have, first of all, to carry out adequate and appropriate measures. However, without the hearty cooperation of the people, who appreciate fully the gravity of the situation, the desired end can never be attained; laws and ordinances, perfect and comprehensive as they may be, can in no way minimize the importance of the backing and collaboration of the people. The National Spiritual Mobilization Movement has accordingly grown in importance with new developments in the situation. Moreover, the time has come when action rather than words is necessary; the immediate realignment of the national life on a wartime basis is exigent. The movement has in the past made the same emphasis with considerable success. The growing tension in the state of affairs has called for further strengthening of the movement in terms not only of the spiritual but of

<sup>1</sup>See articles entitled "Further Enlightenment on the Current Emergency," TOKYO GAZETTE, July, 1939; and "Concerning National Spiritual Mobilization," TOKYO GAZETTE, June, 1939.

the material phases of life. The programme for the wholesale reorganization of the deliberative and executive machinery of the movement decided upon by the Cabinet Council at the session of April 16th is certainly an important step forward in answering the need of the hour.

In working out the reorganization programme, failures in the past caused by over-comprehensiveness and too great a variety of objectives was squarely faced first of all, and in consideration of that unfortunate experience the emphasis has been placed, in the new programme, on the practical rather than the theoretical aspect of the movement by selecting objectives unqualifiedly essential for the carrying out of the warfare characterized by struggles between nations in terms of the entire national strength and by planning for ensuring such practices as will realize the objectives in accordance with basic national policies. It does not mean, however, that by this new emphasis the movement hereafter will take up questions concerned only with the material phase of life. The genius of the movement, as its name indicates, will remain as fundamentally spiritual. And it will be most fitting in this memorable year of the 2600th anniversary of the founding of the Empire to promote the national spirit in accordance with the high and broad principles on which the Japanese Empire has been founded, thereby laying the foundation on which the people can collaborate practically with national policies. Such will be the initial step of the reorganized movement; and, as stated previously, it will concentrate its activities on one or a set of the objectives by priority of importance and urgency. Fundamental differences between urban and rural communities will also be kept in view in working out plans for practical activities.

The executive and other machinery of the movement have thus been reorganized in such a way as will facilitate the new emphasis above outlined. Reform is carried out, in the first place, in the organization of the central organ. The movement formerly had practically two leaders. One was the National Spiritual Mobilization Commission under the supervision of the Prime Minister, whose function it was to make general plans, and the other was the Central Council of the National Spiritual Mobilization League, which was organized by private leaders and was to make secondary plans as to what practical activities should be carried out by affiliated bodies. This dual organization of the machinery retards, in many instances, its speedy and smooth functioning which is essential to this type of movement, particularly under the current emergency. A new central organ is, therefore, created by combining these two old organs into one.

The Prime Minister himself shall be the President of the new central organ and the Minister for Home Affairs and the President of the Board of Directors of the movement, who shall be elected from among private leaders, shall be vice-presidents. Other Ministers of State and government officials concerned and those who are chosen from among the members of both Houses of the Diet, representatives of the press, representatives of important private bodies, and men of expert knowledge and experience shall be advisers, directors, counsellors and other leading officers. Thus the collaboration of the Government and the people, including leaders of political parties, is completely effected and the movement will be a real united national movement.

Another noteworthy reform effected concerns the organization of local agencies. In conformity with the nature of the new central machinery, local central agencies, functioning under the governors, shall be made up of official and private leaders, and under them sub-agencies shall be created in counties and cities as intermediary organs for the control and guidance of practical movements in cities, towns and villages. That the Department of Home Affairs, which directly supervises local administrations, is put in the closest connection with the central agency by making the Home Minister a vice-president while local leaders are included among the central officers will promote the efficiency of local movements from both the official and popular angles.

In addition to the above mentioned reforms in connection with central and local agencies of the movement, private institutions will be mobilized and given necessary assistance for local activities, thus ensuring and making the best of the popular character of the movement.

## MEASURES FOR PROTECTION OF JUVENILE DELINQUENTS<sup>1</sup>

DEPARTMENT OF JUSTICE

IT IS reassuring to see that the Japanese youth of today are on the whole serious and high-minded due to the current emergency, although it is unfortunately necessary to point out the existence of exceptions in no small numbers. The number of juvenile delinquents has increased remarkably of late.

According to the penal statistics of recent years, crimes committed here by youths under 18 years of age average approximately 30,000 a year, not including milder cases which are regarded as less than criminal, the number of which is several times the former. Juvenile crimes are not of course new things in Japan, but their sudden increase in recent years is to be particularly noted.

What we recollect in this connection is the great increase of juvenile crimes committed in belligerent countries during the last World War. In the initial stages of the war, crimes there rather decreased in number, but from the second year onward they increased rapidly. In Germany, for instance, the number of juvenile crimes perpetrated in 1914 showed a marked decrease, abating from 34,000 in the preceding year to 46,000. But in 1915 they increased to 63,000 in number, and again jumped to 80,000 in the following year, until by the fourth year of the war the number was considerably in excess of 90,000, being more than doubled as compared with the first year. In France in the first year the cases numbered 9,900, which increased to over 14,000 in the second year, and in the fourth year to more than 22,000, more than double the number of the first year. Similar conditions prevailed in Great Britain and Austria-Hungary also. It may be easily imagined what role these conditions played in bringing about decadence and exhaustion in the respective countries before and after the war.

The tendency observed in Japan has been no exception. During the first year or so of the China Affair juvenile crimes showed a considerable decrease in number and the fact was welcomed with satisfaction as a reflection of the growing tension and seriousness of popular feeling. From about last year, however, the trend of

<sup>1</sup>See an article entitled "Protection and Discipline of Juvenile Delinquents" in the May, 1919, number of *TOKYO GAZETTE*.

increase began to be seen in the number of juvenile offenders, and the increase has been remarkable in certain parts of the country. It is a matter for deep concern that these parts should include industrial zones of prosperity, in view of the negative effect that delinquency will have on the productive capacity of those districts.

### The Problem of Working Youth

The urgent need of increased production of materials for pursuing the great and high task of constructing a new East Asia has been emphasized on relevant occasions. This necessarily calls for a vast volume of labour power, resulting in an enormous increase of working youths. It is certainly reassuring to see these youths go out in crowds every morning to their places of work as industrial warriors on the home front. What is hoped for further is to see them get trained in mind and body both in and out of their working places so as to better fit themselves for taking their share in shouldering the burdens of future Japan. Should, on the contrary, these youths neglect or be indifferent to the practice of this important duty as members of the home front population, how can they be trusted? This is a problem of vital importance particularly for present-day Japan which is undertaking the task of long-term construction on the Asiatic Mainland.

When youths are employed in a factory, they are mostly outside of home supervision as well as consolation, left very frequently unprotected in their moral lives. And as these youths have comparatively more leisure and are unrestricted in their use of their wages, the lack of guidance would induce them to be attracted to evil pleasures for want of mature judgment. This would be the first step in losing their steady attitude of moral life and going deeper into the danger of moral decadence. It can readily be imagined what consequences would be brought about by these circumstances. As a matter of fact, juvenile delinquents are found in alarming numbers especially in industrial districts.

The sudden increase in the number of juvenile crimes during the World War in the belligerent countries was ascribed to the emancipation of young workers from educational influence and also to their abnormally high earnings, and the conditions in Japan recently are similarly accountable. It is urgently required that some effective steps should be taken to prevent wartime industries from such evil effects and at the same time to improve the character of the growing generation.

## Current Measures for Protection of Delinquents

Needless to say, juveniles should be brought up with love and watchful care, and any moral wrongs should be discovered early so that proper measures for correction and guidance may be promptly carried out. The juvenile protection work is carried out in accordance with these principles.

The juveniles (boys or girls under full 18 years of age) who have offended against criminal laws or regulations, or who it is feared may do so, are protected and disciplined under proper guidance, with a view to leading them to be good and honourable members of the Japanese nation. The method of the work varies according to the character of the juvenile delinquents, their family conditions and other circumstances. Juvenile delinquents in Japan are as a rule put in a reformatory or placed in an institution for the protection of juveniles, in either of which they must lead a group life under strict rules, being disciplined and trained in menial work. In some cases young delinquents are allowed to live in their own homes in view of family circumstances or otherwise, under observation by the official juvenile protector who protects and guides them and acts as adviser to their families. The protector leaves no means untried in improving the character of the delinquents, correcting their licentious and indolent habits. In this work the juvenile court constitutes the central agency. To speak of the juvenile court, suggests a kind of law court, while in reality it is not any kind of law court, but merely an organ of protection. Around this central institution are the activities of reformatories and institutions for the protection as well as a number of juvenile protectors. Thus these institutions are efficiently combatting the characteristic evils arising from the modern wartime situation.

## Extension of the Work

This important work for the protection of juveniles has not as yet covered the whole country, the areas in which the activities are conducted being limited to 3 urban and 11 other prefectures. These prefectures come within the jurisdiction of 4 juvenile courts established in Tokyo, Osaka, Nagoya, and Hukuoka. The jurisdiction of each juvenile court is shown below:

*Tokyo Juvenile Court* - Tokyo, Kanagawa, Tiba, and Saitama prefectures

*Osaka Juvenile Court* - Osaka, Kyoto, and Hyogo prefectures

*Nagoya Juvenile Court* - Aita, Gifu, and Miye prefectures

*Hukuoka Juvenile Court.* Hukuoka, Saga, Nagasaki, and Kumamoto prefectures.

The present areas coming within the jurisdictions of juvenile courts, though comprising the most populous prefectures, are obviously too limited particularly in view of the current conditions prevailing among Japanese youth of today. The Government therefore has decided to extend the areas under such jurisdiction to include 14 additional prefectures as from January 1941, the necessary expenditure having been approved by the 75th Diet. The plan of extension comprises 2 new juvenile court to be established at Hiroshima to have jurisdiction over the 6 prefectures of Hiroshima, Yamaguchi, Okayama, Tottori, Shimane, and Ehime; the further 5 prefectures of Ibaraki, Tochigi, Gunma, Sizuoka, and Yamanashi to be added under the jurisdiction of the Tokyo Juvenile Court; and 3 more prefectures, viz. Nara, Siga, and Wakayama, to be added under the Osaka Juvenile Court.

As the result of this extension protective work for juvenile delinquents is to be regularly conducted in 28 prefectures altogether as from January 1941. The extension is a step taken to meet the immediate need; further extension is certainly a matter of no small importance.

### Public Cooperation Essential

Thus the juvenile courts are doing everything in their power to guide and protect delinquents by mobilizing all related protective institutions. Without the full cooperation of the general public it would be hardly possible to attain the desired ends. The guidance and protection of juveniles must be assured in their daily lives among the people, and therefore the people of every class and section of society are requested to cooperate in this activity.

When the people take care of and guide juveniles as parents, employers or seniors in their every-day lives or occupations, they are cooperating indirectly in the work of the juvenile court. The Juvenile Law, which has been in force since 1922, provides for more direct cooperation in Article 29 by requesting the people to report to the juvenile court when they find a juvenile requiring such protection and guidance. This provision is made for the purpose of discovering delinquents as early as possible and curing them by protection and guidance before they are far advanced in mental disintegration. The report requires no other trouble than to inform the juvenile court by letter or by word of mouth of the name, address, age, occupation, conduct and disposition of the

delinquent and his or her protector. The people are exhorted to report early when they detect delinquency not merely for the benefit of the delinquent himself but also of the community in general. The Juvenile Law also prescribes the entrusting of the delinquent to a person interested in this type of work for juveniles

Juvenile delinquents are after all our fellow countrymen and as precious sons and daughters of the land as the rest of us. We should not look down upon them with scorn. It is our brotherly duty to protect and guide them in the path of right living

## TESTING THE ABILITIES OF MECHANICAL TECHNICIANS

DEPARTMENT OF WELFARE

Preparations have been made by the Department of Welfare for carrying out a system of examination for mechanical technicians' certificates, and as the first step the Regulations Pertaining to Examination for Mechanical Technicians' Certificates (Ordinance No. 8 of the Department of Welfare) was promulgated on March 25, 1940, on the recommendation of the Commission for Investigation of the said system. The first examination is to be held in June. The following is an outline of the new system.

### Purpose of the New System

With regard to measures for supplying sufficient numbers of technicians and for adjusting their supply-and-demand relations, measures which are most important if the current national policies are to be pursued along the lines that will ensure smooth production of war materials and the expansion of productive power, such governmental steps as the increase of training institutions on the one hand, and restrictions on the employment of school graduates and general workers on the other, have already been taken in pursuance of the National General Mobilization Law. The system under review is intended to supplement as well as strengthen those measures. Its immediate purpose is to facilitate selection of qualified technicians from among factory workers by means of examination for mechanical technicians' certificates. This measure will not only relieve the shortage of technicians, but will also improve the technical abilities of general workers. The technicians now in demand are in nowise confined to those connected with mechanical engineering. However, since the shortage of this specific type of technician is particularly acute, the present system will be carried out as the initial step.

### Types of Technicians Examined

The aim of the new system is to examine those who are engaged in productive activities in factory workshops, such as mechanical

engineering and metal work, so as to test the technical abilities necessary for such productive activities.

The term "mechanical technicians" is generic, there being various kinds and grades of mechanical technicians. In the metal and machinery enterprises there are men who engage in laboratory work only, while others specialize in planning and designing, or actually perform technical work in factory workshops; in short there are many types and classes of technicians. As mentioned above, those examined are "technicians engaged in productive activities in factory workshops"; in other words, the candidates for this examination are limited to field technicians. The problem of examining other types of technicians will be reserved for future discussion.

### Qualifications for Examination

Candidates for examination must be men of the age of twenty years and over who come within one of the following categories:

1. Those who have been engaged for five years and upward and who are at present engaged in productive activities in factory workshops operating in mechanical engineering and metal work.
2. Those who have been engaged for three years and upward in the above-mentioned productive activities and who are recommended by the foreman of the workshop.

The age of the candidates will be calculated as from the first of April in the year of examination. That is to say, those who are twenty years of age and over on April 1 of the year of examination are qualified to apply. The number of years in employment will also be calculated with April 1 as the basis. That is, those who will have been working for five or three years and upward by counting back from April 1 of the year of examination, will be qualified to take the examination. The period of employment will be reckoned in terms of months. If, therefore, the days of the last month do not make up a full month, this will be calculated as being one month.

As has been explained, those qualified for candidature must be actually engaged at the time of application in factory workshops; this does not mean, however, that they must have worked continuously for five or three years and upward, nor does it necessarily imply that they must have worked in the same workshop during the prescribed number of years.

## Content of Examination

The examination is divided into three kinds of tests: written, practical, and oral. The written examination is subdivided into the first and second tests for the convenience of candidates.

As the aim of this examination is to test the necessary abilities of field technicians, the scholastic standard is approximately equivalent to that attained by the graduates of technical schools of the secondary grade, with actual experience in factory workshops for due length of time (4 or 5 years) and with the practical knowledge and technical ability expected of present-day mechanical technicians. The content and methods of the tests are explained below:

### A. Written Test

Practical problems will be selected from among the following items in the written test.

#### 1. First Examination

- (1) Industrial Mathematics: Arithmetic, algebra, elementary plane geometry, and elementary trigonometry.
- (2) Industrial Science: Property of matter, heat, light, hydraulics, motor, and inorganic chemistry.
- (3) Mechanics: Elements of machinery, mechanical and material dynamics.
- (4) Drawing: Methods of mechanical drawing, and draft reading.

#### 2. Second Examination

- (1) Materials: Metallic materials, fuels and lubricants.
- (2) Methods of General Engineering: Pattern, founding, forging, boiler-making, fusion welding, machine-construction, finishing and assembling.
- (3) Electricity: Electric circuit, electric motor, transformer, electric gauge, switch, and electric illumination.
- (4) Practical knowledge of factory management: Management of engineering processes, wages, cost-taking and safety management.

### B. Practical Test

Practical tests will be given in drawing, technical work and practical knowledge of general work. In the practical test of technical work, a choice of one of the following five types of technical work is permitted:

Mechanical engineering, finishing and assembling work,

pattern and founding, forging and heat treatment, boiler-making and welding

In this examination, tests will be given in actual work listed below. When necessary, the examiners will also ask questions during the tests.

1. Drawing

Drawing of simple sketches.

2. Technical Work

- (1) Mechanical Work: One or two tests in operating the following machinery will be given: lathe, milling-machine, shaping-machine, planing-machine, drilling-machine and grinding-machine.
- (2) Finishing and Assembling Work: Operation of the scriber, forge, cold chisel, and scraper.
- (3) Pattern and Foundry Work: Wood modelling, drawing of original drafts, trimming, and level planing or casting.
- (4) Forging and Heat Treatment: Forging.
- (5) Boiler-making and Fusion Welding. Drawing of original plan, riveting and caulking, gas or electric welding.

3. Practical Knowledge of Factory Work

Practical knowledge of routine operations in workshops.

C. Oral Test

An oral test will be given on matters of general knowledge which Japanese nationals are expected to know, and on matters of common knowledge with which mechanical technicians should be acquainted. The mental attitude as industrialists will also be tested.

Order of Tests

The tests will be given in the following order: The written test for the first examination will be given first and those who pass this test will be qualified to take the second written test; practical and oral tests will be given to those who have passed the latter test, and thus the successful candidate will be decided. For the convenience of those failing to pass the entire examination at one time, the following provisions will be made: Those who have passed the first written test will be allowed to proceed with the second written test without undergoing the first test again if they apply for the examination within the period of two years after the successful passing of the first written test, and those who have passed the second written test will be allowed to take the other tests, excluding the written tests, if application is made within two years after the successful test.

### Other Particulars

The examinations will be held at least once a year. The places where they are to be held and the period during which applications should be sent in will be announced in the *Official Gazette*. The written tests will be held in cities where prefectural offices are located, including Hokkaido. The practical tests will be given at the Institute for Training Senior Mechanical Technicians situated in the Prefectures of Tokyo, Osaka, Aichi, Hukuoka, and other suitable places in the provinces. The first of these tests will be held in June, 1940.

When a person desires to apply for the examination he must submit his personal history, a copy of his census register, photograph, and a certificate from the foreman of the workshop at which he is employed (the recommendation in the case of those coming under category No. 2 of the qualifications for candidates, of which mention has been made elsewhere), along with his written application. This must be forwarded, during the prescribed period for application, to the Minister of Welfare through the governor of the prefecture where the applicant's place of work is situated. An examination fee of five yen is also required. The period of application for the first examination which will be held this year was from April 20 to May 20.

The Minister of Welfare will determine the success or failure of the examination, and those who are successful will be granted certificates and their names will be published in the *Official Gazette*. Factories and workshops employing the recipients of these certificates are urged to give them suitable positions as technicians, and thus make most of the labour mobilization.

## CENSUS REGISTRATION BY PROXY OR BY POST

—Posthumous Registry of Soldiers Made Possible—

BUREAU OF CIVIL AFFAIRS, DEPARTMENT OF JUSTICE

CENSUS registration, by which one's personal status, such as family connection and relationship is attested, is an important constituent in the ages-old family system of Japan. In the event of birth, death, or succession, a notice must be filed at the census registration office within the period prescribed by the Law of House Registration. As for marriage, the adoption of an heir, or the acknowledging of a child—these become valid only when they are entered in the registry.

The law requires that a report be made to the census registration office when any changes occur in one's personal status, but in practice it would seem that this cannot always be done. In the case of marriage, for instance, a child born of parents who have long been husband and wife is often not regarded as legitimate because the parents, for want of registration at the census registration office, are not recognized as a legally married couple.

It often happens that a husband is called to the colours. In such an event he either leaves word that his marriage is to be reported in his absence, or else he himself reports by letter from the front. This has frequently occurred since the beginning of the China Affair. If the person so entrusted immediately files a report and it is received at the census registration office while the husband is still living, no impediments arise. If, however, he is killed in action before the report reaches the registry, it cannot be accepted in accordance with the general principles of the Civil Code and the Law of House Registration.

The Civil Code prescribes that a marriage becomes valid only when it is registered at the census registration office. Consequently, if one of the parties to the marriage dies before the report is received, no licit marriage can take place. This would be manifestly unfair not only to the soldier who has died, but also to members of the bereaved family, whose personal status would thus be left undetermined, simply because the husband did not file a report in person, or on account of his death at the front.

Hence the enactment of the "Law Pertaining to the Report for Census Registration by Proxy or by Post" remedies this defect. In

view of the special circumstances to which the current emergency gives rise, Paragraph 1, Article 1 of the law prescribes :

When a man dies after commissioning another to report his marriage to the census registration office, and the report is made accordingly, the census officer may accept it if the law-court concerned confirms the fact that the former has entrusted the latter to make the report, because of his inability to do so himself owing to his being on active service, or otherwise engaged in emergency duties

### **Procedure for Obtaining the Confirmation**

The confirmation of the law-court concerned is necessary when the person deputed to make the marriage report does so after the death of the husband. In such a case he must apply for confirmation to the subdistrict court which exercises jurisdiction over the last domicile of the spouse. Not being a lawsuit, the filing of the application may be made either by letter or by word of mouth. When an application is made by letter, the following points must be contained in the application which also must bear the signature and seal of the principal or his proxy.

1. Name and address of the deputy.
2. If the applicant is the agent of the proxy, his name and address.
3. Purport and cause of the application.
4. Date of the application.
5. Name of the law-court to which application is made.

The original or a copy of the documentary evidence, if any, such as a letter from the principal entrusting the matter to his agent or deputy, together with the notice of the principal's death at the front, must be appended to the written application. Moreover, when the person so entrusted has witnesses to be examined, their names and addresses, and also the purport of examination must be stated in the application. A 20-sen stamp is to be affixed thereto and the person representing the deceased must defray the costs of the procedure before confirmation and of the notice issued subsequently by the court. If the application for confirmation is rejected, a protest against the decision may be filed with a higher court by the deputy or other persons interested.

### **Procedure for Filing the Report**

In making the report for census registration after obtaining the confirmation of the law-court, the deputy must follow the procedure

prescribed in the Law of House Registration in absence of specific provisions in the new Law Pertaining to the Report for Census Registration by Proxy or by Post. When, however, the report is to be made by virtue of the present law, it must be submitted in writing.

The report for census registration must be made in the name of the person who died in active service: it may not be made in the name of his agent or proxy. The reason why the report is being submitted by the proxy must be stipulated in the report itself, and the wording of it may run as follows:

Being entrusted by \_\_\_\_\_, the report of marriage (or the adoption of an heir or the acknowledging of a child, or whatever the case may be) is hereby made subsequent to obtaining the confirmation of the \_\_\_\_\_ subdistrict court.

### Effect of the Report

When the report, made in conformity with the procedure above set forth, is received and entered in the census register, it has the same effect as if it were made at the time of the principal's death. In other words, it is retrospective to the date of his death.

In the case of a matrimonial report being made, as in the above instance, after the death of the spouse, the marriage becomes legally valid, just as if it had taken place immediately before his death, and the wife is in consequence regarded as being in the same census register as her husband at the time of his death at the front.

The order of succession may also be altered by submitting a report for census registration after the death of the principal.

With regard to allowances, both in the nature of an annuity and of a lump-sum allowance, to be granted in accordance with the Pensions Law, specific provisions have been made in the revised part of the said law. According to the provisions, the bereaved family of a person in public service, or a like person, is entitled to the allowance when the report for census registration is made by his deputy in conformity with Article 1 of the present law within 2 years of the death of the principal.

### Submitting the Report by Post

Not infrequently a report for census registration is sent in by post directly from an applicant, but death intervenes before it reaches the census registration office. The validity of such a report has always been questioned until the enactment of the present law,

Article 4 of which removes all uncertainty by clearly recognizing its validity, besides rendering it retrospective to the time of death. Article 4 differs from Article 1 of the same law in that it applies not only to men in the fighting services and civilians attached to the services in wartime, but also to the general public in peace-time.

#### Report Made Prior to the Enforcement of the Present Law

Prior to the enforcement of the present law, there had been cases where a report made for census registration by proxy after the death of the principal, was received by the census officer in accordance with the notification issued by the Director of the Bureau of Civil Affairs on December 9, 1937. Although this action has been favourably received in professional circles and by the general public as an appropriate proceeding, there has been some doubt as to the legality of this procedure on account of certain deficiencies in the provisions of the existing laws.

Paragraph 2 of the supplementary provisions of the present law solves the problem by giving the same effect as Article 3 of the present law, to the report made before the enforcement of the present law, provided the confirmation of the subdistrict court is appended. Persons interested (including the proxy) are under no obligation to obtain the confirmation prescribed in the said Paragraph 2, but the retrospective effect provided for in Article 3 applies only to cases possessing the confirmation of the court; whereas no mention is made in the present law of the effect of reports formerly made without confirmation. The solution of the latter point may depend on the way in which the existing laws are interpreted. The procedure for obtaining the confirmation is the same as that previously mentioned.

In connection with Paragraph 2, an amendment in the Pensions Law prescribes that pension is granted only to those whose confirmation is given within two years from the date of enforcement of the present law.

If the application for confirmation of the report, made before the enforcement of the present law, is rejected, the entry in the census register will be nullified, so that the court must notify the fact to the census officer concerned without delay. The effect of the written report sent in by post from the applicant while he is living, but which is received after his death by the census officer, is of course retrospective to the date of his death.

The present law has been enforced as from April 1, 1940, being enforced in Katafuto also from the same date.

## MAINTAINING AND INTENSIFYING WARTIME CONSCIOUSNESS

—Address at the Gubernatorial Conference, May 2, 1940—

ADMIRAL MITSUMASA YONAI, PRIME MINISTER

IT affords me great pleasure to have this opportunity of meeting you today and laying before you what is in my mind.

This year is the 2600th anniversary of the founding of the Empire. On the occasion of Empire Day, His Majesty the Emperor was pleased to grant us a gracious Rescript clearly setting forth the way which Japanese subjects ought to pursue in order to assist the Throne in the administration of State affairs, we are profoundly moved and filled with a feeling of awe. The entire nation is called upon accordingly to serve the State in single-hearted devotion to the Throne and in obedience to the Imperial Command by clarifying still further the fundamental concept of national polity and by looking back into our glorious history, thus guarding and maintaining the prosperity of the Throne, coeval with heaven and earth.

Budgetary and important legislative measures, including those for tax reform, introduced by the Government were passed by the Diet at the 75th session. It is the intention of the Government to do everything in their power to ensure the appropriate and efficient operation of these measures, they are determined thereby to successfully tide over the current emergency.

On this occasion, I wish to express my sincere and warm gratitude to officers and men of the Imperial forces who have, on all fronts, made brilliant achievements in the face of serious difficulties ever since hostilities began on the Asiatic Mainland. At the same time I cannot but pay tribute to the memories of those killed in action. In this connection, I express my deep appreciation of the endeavours of you gentlemen and of the devoted service of the nation in protecting wounded soldiers and the families of men at the front. I trust that you gentlemen as prefectural governors will make further efforts for the perfection of necessary home-front measures, in view of the gravity of the current situation.

It is a matter for congratulation that we have seen the birth of a new National Government of China. As reiterated in the past, Japan intends to extend whole-hearted and thorough assistance and cooperation to the newly-born Government in accordance with the

basic principles for the settlement of the China Affair which have been irrevocably decided upon. At the same time we are determined to root out remnants of the pro-Communist and anti-Japanese forces. However, further endeavours and a considerable amount of time will be required before we shall be able to eradicate pro-Communist and anti-Japanese power and influence in China and thereby complete the construction of a new order in East Asia. It is therefore most essential that we should perfect and strengthen the united effort of the entire nation and strive with an indomitable perseverance for the realization of the ultimate purpose of the present Affair, however long it may last.

With regard to the international situation, relations between nations have become extremely intricate and complex since the outbreak of the European War. As already enunciated, Japan is proceeding directly with the task of settling the conflict with China and trying to readjust her foreign relations with that end in view. Thus we will undertake to cope with the world situation from a free and independent position by pursuing a policy of non-involvement in the European War and by keeping a vigilant watch upon its developments. With regard to possible repercussions upon the situation in East Asia, we shall lose no time in meeting them with appropriate measures.

In this state of affairs, we must be prepared to face manifold difficulties, both internally and externally, and to perform with unshakable conviction the task of constructing a new East Asia. In order to bring about greater national prosperity by overcoming these difficulties it is imperative to maintain the general mobilization over a long period and concentrate all forces and resources on the strengthening of national defence. For this purpose, needless to say, we must take appropriate steps for the repletion of armaments. However, in that connection it is no less urgent to promote the national spirit as well as to ensure the development of the economic strength and well-being of the people.

### Promotion of National Spirit

In particular, the necessity of promoting the national spirit is most keenly felt with new developments in the current emergency. As a matter of fact, to cultivate the spirit of piety and of honour for ancestors, to reform national education and to improve the physical strength of the people are essential measures for the promotion of the national spirit and consequently for the growth and augmentation of national strength. For the successful execution of these

measures the Government have been depending upon you gentlemen and will depend upon you more than ever in view of the existing state of affairs. You have also been cooperating energetically in the National Spiritual Mobilization Movement, which has served its purpose in no small degree since the outbreak of the present Affair. In view of past experience, however, the Government have decided to reorganize its structure and improve its activities. In so doing, what is aimed at is to make this movement a truly national, practical movement for carrying out national policies. I earnestly hope that you will appreciate the motives and intentions of the Government in effecting the reorganization of the movement and endeavour to strengthen the unity of public opinion, particularly with regard to the ultimate purpose of the China Affair. It is important, in this connection, to improve official discipline, to set, yourselves, personal examples in, and acting as the centres of, these activities under the reorganized system and to work out a programme best suited to local conditions, thereby developing an efficient and effective movement.

### The Economic Front

Since the expansion of productive power and the promotion of foreign trade are the basic factors in the development of economic strength, the Government will take steps for their realization, giving due consideration to the possible effects of the European conflict. The Government will also strive to increase transportation capacity and to assure an adequate supply of electric power. Nor will they fail to ensure the maintenance and augmentation of labour power. There should be endeavours, therefore, on the part of the people to realize the ideal of serving the country in terms of industrial activity.

With regard to price policy, there has been carried out recently a reform of the administrative structure concerned, such as the creation of the Price Policy Council and the Price Formation Commission. Through the operation of this new structure the Government will hereafter do their utmost to effect the increase of production and the proper distribution of materials, in accordance with the low-price policy.

The activities of the Government will also be directed toward holding a sufficient supply and carrying out the proper distribution of rice and other necessities of life as well as of fertilizer, which is essential to rice production. Your duty as prefectural governors, needless to say, is primarily to carry out these measures in a manner

best suited to local conditions. If, however, your considerations are confined only to local conditions, you will defeat their purpose in not taking a broader view. What is required of you is that you think and plan in terms of the whole country in accordance with national purposes.

I wish to call upon the entire nation, in this connection, to further intensify the wartime consciousness and practise wartime economic morality, thereby exercising strict economy in their own everyday lives. Unless the entire nation live in harmony with wartime principles, the accomplishment of the objectives of the China Affair can in no wise be hoped for. On the part of the Government, efforts will be redoubled to adjust general consumption ; on the part of the general public, too, there must be the practice of economy and thrift to the extent of purifying their own lives.

Under the current serious emergency the Government are thus prepared to meet the situation, facing all difficulties and all conditions with an inflexible determination. What we expect of you gentlemen as prefectural governors in this grave hour is truly great ; it cannot be over-emphasized. I earnestly desire that you will do your part, heart and soul, in overcoming the current crisis.

## CONCERNING THE MAINTENANCE OF THE STATUS QUO OF THE NETHERLANDS EAST INDIES

### I

--Statement of the Foreign Office Spokesman May 11, 1940--

CONSIDERING the possibility of the war in Europe spreading to the Netherlands, the Japanese Government made public on the 15th of April their attitude of deep concern over any development that may affect the *status quo* of the Netherlands East Indies, and subsequently they notified the Netherlands Government to that effect. In connection with this, the Netherlands Government expressed their determination not to alter their policy of maintaining the *status quo* of the said Netherlands colony under any circumstances.

As the European war has now spread to the Netherlands, the Foreign Minister, Mr. Hachiro Arita, invited the Netherlands Minister at Tokyo, General J. C. Pabst, to the Foreign Office this afternoon and informed the latter that the Japanese Government earnestly hope that the Netherlands Government will firmly maintain their said determination regarding the question of the Netherlands East Indies.

The Foreign Minister has also called the attention of the representatives in Tokyo of the belligerent countries, namely Great Britain, Germany and France, to Japan's concern over the said question.

The Foreign Minister has informed the representatives of the two neutral countries, the United States and Italy, for their reference, the fact that the Japanese Government made the above notification to the Governments of the belligerent countries concerned.

### II

--Statement of the Foreign Office Spokesman, May 13, 1940--

The British Ambassador, Sir Robert Craigie, at 6:00 o'clock this afternoon, called on the Foreign Minister, Mr. Hachiro Arita, at the latter's official residence with the reply of his home Government to the representation made by Foreign Minister Arita on May 11 regarding the Netherlands East Indies. The British Ambassador told Foreign Minister Arita that the British Government fully share the Japanese Government's concern over the Netherlands East Indies but believe that the Dutch forces in the Netherlands East Indies are sufficient for the maintenance of the *status quo* of those

islands, while Great Britain has no intention whatever of intervening there. The British Ambassador left the Foreign Office at 6:40 o'clock this evening.

III

—Statement of the Foreign Office Spokesman, May 15, 1940—

At 10:00 a.m. today, the Netherlands Minister, General J. C. Pabst, called on the Foreign Minister, Mr. Hachiro Arita, at the latter's official residence under instructions from his home Government with reference to the Foreign Minister's communication to the Netherlands Government made on the 11th of this month, and stated that the Netherlands Government are of the belief that Great Britain, the United States and France have no intention of intervening in the Netherlands East Indies.

The Netherlands Minister took leave of the Foreign Minister at 10:20 a.m.

IV

—Statement of the Foreign Office Spokesman May 16, 1940—

The French Ambassador, Mr. Charles Arsène-Henry, called on the Foreign Minister, Mr. Hachiro Arita, at the Foreign Office at 3:30 p.m. today under instructions from his home Government with reference to the Foreign Minister's communication to the French Ambassador made on the 11th of this month regarding the maintenance of the *status quo* of the Netherlands East Indies, and stated that the French Government entirely agree with the Japanese policy on the question.

The French Ambassador left at 4:00 p.m.

## RESULTS OF THE CAMPAIGN DURING MARCH, 1940

BUREAU OF INFORMATION, WAR DEPARTMENT

THE press section of the Military Department of the Imperial Headquarters announced on April 22 the results of the campaign in China, during March, 1940, as follows:

Numerical strength of Chinese troops engaged	North China	Central China	South China	Total
256,000	81,700	11,700	189,400	389,400
<i>Chinese Losses</i>				
Killed	14,610	3,140	9,110	29,100
Prisoners	2,010	980	381	3,411
<i>War Material</i>				
Mountain guns	4	—	—	4
Native-made guns	491	—	9	504
Trench mortars	115	4	12	171
Heavy machine-guns	6	7	6	19
Light machine-guns	46	32	41	119
Rifles	4,500	1,461	4,421	10,386
Catapults	13	4	—	17
Revolvers	396	92	143	833
Heavy ammunition	4,153	716	10,201	15,070
Light ammunition	209,162	3,631,366	1,361,307	7,201,835
Hand grenades	19,796	1,602	52,983	74,383
Gas masks	17	44	354	615
Motor cars & lorries	16	3	21	30
Junks	—	32	—	32
Horses	432	7	—	439
<i>Japanese Losses</i>				
Killed	205	108	104	417

The following operations were carried out during the period under review.

*North China*: Our troops delivered a severe counter-attack upon those Chinese forces, under General Fu Tso-i, which attempted to recapture Wuyuan, some 250 kilometres northwest of Paotow, western terminus of the Peking-Suiyuan Railway. A clean-up campaign was likewise conducted against the Communist troops that had set up a base in the mountainous border-region between Hopei and Chahar Provinces, and those, under General Ho Lung, at Chungtu, on the border between Shensi and Shansi Provinces. Other units in the uplands of Western Shansi Province were dispersed.

*Central China* : A surprise attack on the Chinese guerillas around Sinyang, in Honan Province and on the Peking Hankow Railway; an offensive against the Szechuanese troops occupying Suihsien and the irregulars near Siaokan, both in Hupeh Province; a clean-up campaign in the hilly districts of Yanglowtung also in Hupeh Province and on the Hankow-Canton Railway, occupied for the greater part our forces in this section of the front Juichang, in Kiangsi Province, was the scene of a mopping-up campaign against the enemy, and two of their divisions engaged in interfering with traffic on the Yangtze River near Siangkow, at the northern extremity of Kiangsi Province, were effectively dealt with.

*South China* : Lingshan, near the southwestern border of Kwangtung Province, was reduced in the operations conducted in this area, thus frustrating any attempts upon Nanning. Chungshan-hsien, on the western shore of Canton Bay, was re-occupied in conjunction with our naval forces; while remnants of Chinese troops in Hainan Island and near Swatow and Chaochow, in Kwangtung Province, were subjected to successful mopping-up campaigns. Szelow-hsien, in southwest Kiangsi, was taken.

## TREATY OF COMMERCE AND NAVIGATION BETWEEN JAPAN AND URUGUAY

HIS Majesty the Emperor of Japan and the President of the Eastern Republic of Uruguay, being equally animated by the desire to develop commercial relations between their two countries, have decided to conclude a Treaty of Commerce and Navigation, and have appointed for this purpose their plenipotentiaries, namely:

His Majesty the Emperor of Japan:

His Excellency Monsieur Jiro Yamazaki, Envoy Extraordinary and Minister Plenipotentiary of Japan in Uruguay; and

The President of the Eastern Republic of Uruguay:

Monsieur Doctor Alberto Mané, Minister for Foreign Affairs,

Who, after having communicated to each other their full powers, found in good and due form, have agreed as follows:

### ARTICLE I

The High Contracting Parties agree to accord reciprocally the unconditional and unlimited treatment of the most favoured nation in all that concerns the customs duties, internal charges or taxes and all accessory duties, charges or taxes, and the manner of their collection, as also in the rules, procedures, and dues which may be enforced in customs clearance.

### ARTICLE II

The natural or manufactured products originating in the territories of either of the High Contracting Parties shall not be, in the territories of the other, subject in any case whatsoever, in respect of the matters mentioned in Article I, to any import duties, internal charges or taxes, different from, or higher than, those which are, or may be, applied to products of the same nature originating in any other country, nor to any different, or more onerous, rules or procedures.

### ARTICLE III

The natural or manufactured products originating in the territories of either of the High Contracting Parties, which are destined for the territories of the other, shall not be, in any case whatsoever, in respect of the matters mentioned in Article I, subject to any export duties, internal charges and taxes different from, or higher than, those that are, or may be, applied to products of the same nature destined for

any other country, nor to any different, or more onerous, rules or procedures.

#### ARTICLE IV

All the advantages, favours, privileges, and immunities, which have been, or may be in the future, accorded to one of the two Contracting Parties, in respect of the matters mentioned in Article I, either to the natural or manufactured products originating in any other country, or to the natural or manufactured products of domestic origin destined for any other country, shall be immediately and without compensation, applied, either to products of the same nature originating in the territories of the other Contracting Party, or to products of the same nature of domestic origin destined for the territories of that Party.

#### ARTICLE V

Excepted from the engagements under the present Treaty are the favours that are actually accorded, or that may be accorded in the future, to neighbouring countries, as are also those resulting from a customs union that have already been concluded, or that may be concluded in the future, by either one of the High Contracting Parties.

#### ARTICLE VI

The unconditional and unlimited treatment of the most favoured nation which the High Contracting Parties have agreed to accord reciprocally under the present Treaty applies to all that concerns the commerce between the territories of the two Contracting Parties, as also to all that concerns the navigation engaged in by ships carrying the flag of either one of the Parties.

#### ARTICLE VII

The nationals of either of the High Contracting Parties shall, on condition of their conformance to the laws and regulations of the other party, have full liberty to enter, travel, and reside in the territories of that party, and shall enjoy complete and full protection for their persons and their properties.

They shall enjoy, in the territories of the other Party, the treatment of the most favoured nation in all that concerns the exercise of occupations, professions, trades and industries, as also in all that concerns the dues, taxes and direct or indirect imposts.

The stipulation under Paragraph 1 of the present article shall not affect the right of either of the High Contracting Parties to regulate

by an immigration law the entry of the nationals of the other Contracting Party, on condition that the laws and regulations drawn up for this purpose or their application do not constitute a measure of discrimination specially directed against the said nationals.

#### ARTICLE VIII

The present Treaty shall be ratified and come into force fifteen days after the exchange of the instruments of ratification, which will take place at Montevideo.

#### ARTICLE IX

The present Treaty is concluded for a period of two years counting from the date of its coming into force. In the case either one of the High Contracting Parties has not denounced the Treaty, it shall continue to remain in force until the expiration of six months from the date of the denunciation.

In faith whereof the respective Plenipotentiaries have signed the present Treaty and affixed their seals.

Done, at Montevideo, in duplicate, the 10th day of the 5th month of the 9th year of Syōwa, corresponding to the 10th of May, 1934.

J. Yamazaki  
A. Mané

# INCOME TAX LAW

Law No. 24 of March 29th of 1940 (15th Year of Syōwa)

## CONTENTS

- Chapter 1—General Provisions
- Chapter 2—Classified Income Tax
- Chapter 3—Composite Income Tax
- Chapter 4—Declaration, Application, Investigation and Decision
- Chapter 5—Income Investigation Committee
- Chapter 6—Examination, Petition and Administrative Litigation
- Chapter 7—Collection
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- Chapter 9—Penal Provisions

## CHAPTER I

### General Provisions

#### ARTICLE 1

An individual domiciled or resident for more than one year within the area where the present law is in force shall be liable to pay income tax in accordance with the provisions of the present law.

#### ARTICLE 2

If an individual not coming within the purview of the provisions of the preceding article falls under any of the following numbers, he shall be liable to pay income tax but only in respect of his incomes :

1. If he owns assets or enterprises within the territory where the present law is in force;
2. If he receives payment of interest on public loans, corporation debentures or deposits, or of profits by the joint-operation-trust, within the area where the present law is in force;
3. If he receives a share of profits or interest, or a distribution of surplus funds, from a juristic person with head office or principal place of business within the area where the present law is in force;
4. If he receives payment of salary, wages, annual allowance, compensation for expenses (limited to that which is paid in monthly or yearly sums, same context following), annuity (excluding the postal annuity, same context following), pension, bonus or retiring allowance or grants of the nature of those which have been referred to, within the area where the present law is in force.

## ARTICLE 3

A juristic person, if falling under any of the following numbers, shall be liable to pay income tax only in respect of its incomes:

1. If it receives payment of interest on public loans, corporation debentures or deposits, or of profits by the joint-operation-trust, within the area where the present law is in force;
2. If it receives a share of profits or interest, or a distribution of surplus funds, from a juristic person with head office or principal place of business within the area where the present law is in force.

## ARTICLE 4

No income tax shall be imposed on Hokkaido,<sup>1</sup> the prefectures, municipalities, towns, villages and other public bodies as designated by Ordinance; the same shall apply to shrines and the juristic persons established in accordance with the provisions of Article 34 of the Civil Code.

## ARTICLE 5

An individual who is engaged in the manufacture, mining or gathering of staple products as designated by Ordinance, will be exempted from income tax in respect of the incomes accruing from his enterprise for the initial year of its operation and the three years that follow, as prescribed by Ordinance.

## ARTICLE 6

With regard to incomes accruing from trust property, the beneficiary receiving the incomes as profits from such act of trust is to be deemed the person who owns the said trust property, and income tax is to be imposed on him as such; but this shall not apply in respect of the joint-operation-trust profits paid within the area where the present law is in force.

With regard to the application of the provisions of the preceding paragraph, the trustee or his successor shall be deemed the beneficiary when no beneficiary is specified or when no beneficiary has come into existence as yet.

No income tax shall be imposed in respect of incomes accruing from property held in trust for the purpose of public benefit.

## ARTICLE 7

"Joint-operation-trust" within the meaning of the present law is the monetary trust which has been accepted by trust companies and which, while being the trust property of numerous trustees who do not act collectively, is put to joint operation.

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<sup>1</sup>As an administrative entity.

## ARTICLE 8

The following amounts of money are deemed as shares of profits obtained from juristic persons and as such the present law shall apply to them :

1. When an amount of money the payment whereof is received on account of the redemption of shares, or an amount of money which is received by way of the refunding of one's own share on account of withdrawal from partnership or as a result of a reduction of capital investment, exceeds the paid-up amount of the shares concerned or the amount of the investments concerned, the excess amount ;
2. When an amount of money which a shareholder or partner receives as a distribution of the remaining property in case of the dissolution of a juristic person, exceeds the paid-up amount of the shares concerned or the amount of the investments concerned, the excess amount ;
3. When the paid-up amount of shares or the total amount of investments and the money which is acquired, in the case of the merger of juristic persons, by a shareholder or partner of the juristic person having ceased to exist as a result of the merger from the juristic person continuing to be in existence after the merger or established through the merger, exceeds the paid-up amount of the shares originally held, or the amount of the investments originally made, of the shareholder or partner, the excess amount.

## ARTICLE 9

The income tax shall be divided into two categories ; that is, the classified income tax and the composite income tax.

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